

BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re: :
: Regular Meeting. :
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PROCEEDINGS

before Chairman Douglas J. Preisse, Director Edward Leonard, Deputy Director David Payne, and Board Members Michael E. Sexton and Kimberly E. Marinello, at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, called at 3:00 p.m. on Monday, November 6, 2017.

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APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Tim Lecklider, Esq.
Assistant Prosecuting Attorney
373 South High Street, 13th Floor
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown
Mr. Zachary Manifold
Mr. Gene Shell

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1 Monday Afternoon Session,
2 November 6, 2017.

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4 DEPUTY DIRECTOR PAYNE: We'll go ahead
5 and take attendance.

6 Kim Marinello.

7 MEMBER MARINELLO: Here.

8 DEPUTY DIRECTOR PAYNE: Mike Sexton.

9 MEMBER SEXTON: Here.

10 DEPUTY DIRECTOR PAYNE: Doug Preisse.

11 CHAIRMAN PREISSE: Here.

12 DEPUTY DIRECTOR PAYNE: And Brad
13 Sinnott.

14 (No response.)

15 DEPUTY DIRECTOR PAYNE: We have three of
16 four. That's a quorum.

17 The first order of business is holiday
18 hours. The Veteran's Day is -- the county
19 acknowledges Veteran's Day on Friday, November 10th.
20 The office needs to be open for corrections of
21 provisional ballots, if somebody needs to come in, so
22 our suggestion would be that the office remain open
23 on Veteran's Day, Friday, November 10th, and instead
24 we would close Friday, December 22nd. That's what
25 we've done in the past.

1 Is anybody is so inclined to give me a
2 motion?

3 MEMBER SEXTON: I move that the Board
4 offices will remain open to the general public on the
5 date Franklin County observes Veteran's Day on
6 Friday, November 10th, and will instead close on
7 Friday, December 22nd.

8 CHAIRMAN PREISSE: Second.

9 DEPUTY DIRECTOR PAYNE: All those in
10 favor signify by saying aye.

11 (Vote taken.)

12 DEPUTY DIRECTOR PAYNE: All opposed,
13 same sign.

14 (No response.)

15 DEPUTY DIRECTOR PAYNE: Motion carries.

16 The next item on the agenda is the E.E.
17 Ward contract, and this is the third extension of
18 four possible. E.E. Ward is the company that picks
19 up and delivers our voting machines to and from the
20 polls. They charge \$27.50 to get a crate of eight to
21 the polls and then another \$27.50 to get them back.
22 I think in talking to the warehouse and everybody,
23 we're very satisfied with E.E. Ward, and they're very
24 reasonable.

25 MEMBER MARINELLO: Okay.

1 MEMBER SEXTON: I move the Board renew
2 the contract with E.E. Ward Moving and Storage
3 Company for pick up and delivery of voting machines
4 in an amount not to exceed \$90,000 in calendar year
5 2018.

6 MEMBER MARINELLO: Second.

7 CHAIRMAN PREISSE: Second.

8 DEPUTY DIRECTOR PAYNE: We have multiple
9 seconds. All those in favor signify by saying aye.

10 (Vote taken.)

11 DEPUTY DIRECTOR PAYNE: All opposed,
12 same sign.

13 (No response.)

14 DEPUTY DIRECTOR PAYNE: The motion
15 carries.

16 CHAIRMAN PREISSE: Let me jump in on
17 this next one.

18 DEPUTY DIRECTOR PAYNE: I'll let you
19 jump in there.

20 We wanted to discuss an employee pay
21 raise. We can go into executive session, if you
22 think that's necessary. Otherwise, we can do it in
23 open forum. Steve Loos is a member of our Voting
24 Services Department. He's been here three years.
25 He's presently making \$15.56 an hour, and we would

1 like to raise him to \$17.33 an hour.

2 DIRECTOR LEONARD: That amount, it does
3 currently exist within our available funds for
4 personnel?

5 DEPUTY DIRECTOR PAYNE: Yes.

6 MEMBER MARINELLO: I move that the Board
7 increase Steve Loos' rate of pay to \$17.33 per hour.

8 MEMBER SEXTON: Second.

9 DEPUTY DIRECTOR PAYNE: All those in
10 favor signify by saying aye.

11 (Vote taken.)

12 DEPUTY DIRECTOR PAYNE: All opposed,
13 same sign.

14 (No response.)

15 DEPUTY DIRECTOR PAYNE: Motion carries.

16 Candidate withdrawals. We had a
17 gentleman, Nicholas Pavlik, withdraw from the
18 Grandview Heights City Council. Apparently he
19 thought he sent a withdrawal notice earlier, and in
20 conversations with Jeff Mackey, we did not receive
21 it, so it came rather late, but he's still entitled
22 to withdraw. The other thing that we are assisting
23 him with is, because he thought he withdrew previous,
24 he didn't file his financial disclosure report, which
25 he would have done if he needed to be on the ballot,

1 so we're working with him and some of the folks to
2 make sure that he is not penalized for that.

3 MEMBER MARINELLO: I move that the Board
4 accept the request of Nicholas Pavlik to withdraw as
5 a candidate for Grandview Heights City Council and
6 that any cast vote for him -- any votes cast for him
7 shall not be counted in the November 7, 2017, General
8 Election Ballot.

9 DEPUTY DIRECTOR PAYNE: Is there a
10 second?

11 MEMBER SEXTON: Second.

12 DEPUTY DIRECTOR PAYNE: All those in
13 favor signify by saying aye.

14 (Vote taken.)

15 DEPUTY DIRECTOR PAYNE: All opposed,
16 same sign.

17 (No response.)

18 DEPUTY DIRECTOR PAYNE: The motion
19 carries.

20 The remaking of any absentee ballots. I
21 believe, Zach, you have a couple that --

22 MR. MANIFOLD: Yeah. We have two for
23 you guys to look at. One of them, the voter, it
24 looks like, tried to cover up some stuff that they
25 had voted on and then revote, and that kind of messed

1 up our tabulators. Then the other one you can see
2 the bottom got cut off, and so it's missing the guide
3 marks. Without the guide marks, our tabulators won't
4 run them (indicating).

5 CHAIRMAN PREISSE: On this one, you
6 said --

7 MR. MANIFOLD: It's the tab at the
8 bottom.

9 CHAIRMAN PREISSE: The guide marks were
10 cut off?

11 MR. MANIFOLD: Yeah.

12 CHAIRMAN PREISSE: And that -- those
13 guide marks allow -- those are not a ballot specific
14 for --

15 MR. MANIFOLD: No, no. It's just
16 looking -- it's looking for that one, and it's
17 running through the tabulators to authenticate that
18 it's a real ballot.

19 DIRECTOR LEONARD: What it does is it
20 allows the -- the scanner to know where it is and
21 where the marks are on the ballot.

22 CHAIRMAN PREISSE: It's a physical
23 guide? It's a physical --

24 DIRECTOR LEONARD: You can probably
25 compare it to the one that you just reviewed, the

1 guide marks for that.

2 MR. SHELL: It's actually the length of
3 the ballot that -- it's shorter, so it doesn't --
4 it's looking for the length versus any --

5 CHAIRMAN PREISSE: Okay. So there is no
6 kind of barcode or anything down there?

7 MR. SHELL: There is not.

8 CHAIRMAN PREISSE: There are Board
9 signatures. Maybe that's why the voter cut it off,
10 the Board members' signatures.

11 MR. SHELL: But the machine is looking
12 for a length when it goes through the device, and
13 it's shorter than what a legal ballot for this
14 particular election is showing.

15 CHAIRMAN PREISSE: Right. Otherwise,
16 this looks to you all as a legitimate Franklin
17 County --

18 MR. SHELL: Uh-huh.

19 CHAIRMAN PREISSE: -- General Election
20 ballot?

21 MR. SHELL: Yes.

22 CHAIRMAN PREISSE: (Indicating.)

23 MEMBER SEXTON: I move that the Board
24 authorize the staff to remake two absentee paper
25 ballots and that these remade ballots shall be

1 tabulated and included in the unofficial canvass on
 2 election night.

3 CHAIRMAN PREISSE: Second.

4 DEPUTY DIRECTOR PAYNE: All those in
 5 favor signify by saying aye.

6 (Vote taken.)

7 DEPUTY DIRECTOR PAYNE: All opposed,
 8 same sign.

9 (No response.)

10 DEPUTY DIRECTOR PAYNE: The motion
 11 carries.

12 Thank you, gentlemen.

13 CHAIRMAN PREISSE: Thank you guys.

14 DEPUTY DIRECTOR PAYNE: The last item
 15 prior to recessing the Board would be to open the
 16 polls tomorrow for the General Election.

17 MEMBER MARINELLO: I move that the polls
 18 be declared open for the Tuesday, November 7th, 2017,
 19 General Election beginning at 6:30 a.m. and closing
 20 at 7:30 p.m. and that, in accordance with Ohio
 21 Revised Code Section 3501.32, any voter in line prior
 22 to the close of the polls at 7:30 p.m. shall be
 23 permitted to vote.

24 CHAIRMAN PREISSE: Second.

25 DEPUTY DIRECTOR PAYNE: All those in

1 favor signify by saying aye.

2 (Vote taken.)

3 DEPUTY DIRECTOR PAYNE: All opposed,
4 same sign.

5 (No response.)

6 DEPUTY DIRECTOR PAYNE: Motion carries.

7 And finally, a motion to recess, unless
8 you want to discuss --

9 DIRECTOR LEONARD: At the last meeting I
10 think we talked about potentially bringing to you in
11 sections the policy manual and adopting the policy
12 manual that's more in line with the county's policy
13 manual, because the employee handbook for the Board
14 is -- is quite old, and so adopting one that's more
15 in line with the county's employee handbook, and it
16 would certainly make it easier from a legal
17 standpoint. The Prosecutor's Office has reviewed the
18 county's employee manual. The HR Department has done
19 that, and so -- but there are some things that we
20 still want to include in those -- the first section
21 of it before we present it to the Board, so --
22 particularly being a -- the county has a harassment
23 policy, a non-harassment policy, and it really
24 doesn't have a specific sexual harassment policy. We
25 feel like that would be appropriate for us to have a

1 separate and distinct policy.

2 CHAIRMAN PREISSE: When you say bring it
3 to us now, are you talking about give the Board
4 members something physical to examine and take with
5 us or have a discussion?

6 DIRECTOR LEONARD: Have the discussion.

7 CHAIRMAN PREISSE: I'd rather have the
8 full copy, give us something to digest and come back.

9 DIRECTOR LEONARD: Okay. We had been
10 hoping to have that for you well before today's
11 meeting, but some of those --

12 CHAIRMAN PREISSE: Yeah. I'd rather not
13 discuss it until we get all four of us here;
14 otherwise, we'll have to do it all over again.

15 DIRECTOR LEONARD: I just wanted to let
16 the Board members know where we were on that process.

17 CHAIRMAN PREISSE: Sounds good. In
18 Brad's absence, if there's nothing else to come
19 before the Board, I move that the Board recess this
20 meeting of the Board of Elections, subject to recall
21 by the Chair, until the close of the election being
22 held on Tuesday, November 7th, 2017.

23 MEMBER SEXTON: Second.

24 DEPUTY DIRECTOR PAYNE: All in favor
25 signify by saying aye.

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(Vote taken.)
DEPUTY DIRECTOR PAYNE: All opposed,
same sign.
(No response.)
DEPUTY DIRECTOR PAYNE: Motion carries.
We are in recess.
(Thereupon, the meeting was adjourned at
3:15 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, November 6, 2017, and carefully compared with my original stenographic notes.

Valerie J. Sloas, Registered
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires June 10, 2021.
(VJS-85373)